

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

METRO SUN CONSULTANT
CORP., ANTOINE TAYLOR
and ROBERT TAYLOR,

Plaintiff,

Case No. 18-CV-13054

v.

HON. GEORGE CARAM STEEH

BAYVIEW TITLE AGENCY LLC,
CENTURY 21 METRO BROKERS,
and ROBERT L. GARROW,

Defendants.

ORDER STRIKING DEFENDANTS' MOTION
TO SET ASIDE ENTRY OF DEFAULT [ECF NO. 16]

Presently before the court is Century 21 Metro Brokers' and Robert L. Garrow's motion to set aside clerk's entry of default entered on December 24, 2018. [ECF NO. 13 and 14] Defendants' motion fails to comply with Rule 7.1(a) of the Local Rules of the Eastern District of Michigan. Local Rule 7.1 governs motion practice and Rule 7.1(a) provides in relevant part:

(1) The movant must ascertain whether the contemplated motion, or request under Federal Rule of Civil Procedure 6(b)(1)(A), will be opposed. If the movant obtains concurrence, the parties or other persons involved may make the subject matter of the contemplated motion or request a matter of record by stipulated order.

(2) If concurrence is not obtained, the motion or request must state:

- (A) there was a conference between attorneys or unrepresented parties and other persons entitled to be heard on the motion in which the movant explained the nature of the motion or request and its legal basis and requested but did not obtain concurrence in the relief sought; or
- (B) despite reasonable efforts specified in the motion or request, the movant was unable to conduct a conference.

Defendants' counsel has failed to comply with Local Rule 7.1(a) as he does not specify that he sought concurrence before filing the present motion, nor did he submit a proposed stipulated order.

Accordingly, the court strikes the pending motion for its failure to comply with this court's local rules.

SO ORDERED.

Dated: January 23, 2019

s/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on January 23, 2019, by electronic and/or ordinary mail.

s/Marcia Beauchemin
Deputy Clerk